

MANAGEMENT MEMO

	NUMBER: 00-08
SUBJECT: BAN ON SMOKING IN STATE-OWNED OR LEASED SPACE	DATE ISSUED: 09/25/00
REFERENCES: Executive Order W-42-93 Supersedes Management Memo 93-30	EXPIRES: UNTIL RESCINDED ISSUING AGENCY: Department of General Services

This Management Memo is intended to assist state agencies, departments, boards, and commissions, in complying with the requirements of Executive Order W-42-93.

On February 19, 1993, Governor Pete Wilson signed and issued Executive Order W-42-93 banning smoking in state-owned buildings and leased space. The Executive Order states that the smoking prohibition shall be implemented no later than December 31, 1993.

Environmental tobacco smoke (ETS) is recognized as the third leading cause of preventable death, behind active smoking and alcohol, and has been designated as a carcinogen (known to cause human cancer) by the State of California and the U.S. Environmental Protection Agency.

In California, the estimated impact (cost) of tobacco use is approximately \$10 billion. These cost estimates include direct medical costs, lost productivity due to illness and disability, and lost future earnings due to premature death. This Executive Order will protect approximately 180,000 state workers from ETS.

IMPLEMENTATION

Enforcement of the Governor's Executive Order is the responsibility of each individual department.

1. Unless statutorily exempted, smoking shall be prohibited in all state-owned buildings or leased space (including space within buildings shared with others), state prisons and hospitals, and state-owned passenger vehicles, no later than December 31, 1993*. This prohibition shall apply to any area enclosed by the perimeter (outermost) walls of the building. Atriums, balconies, stairwells, and other similar building features are to be considered "within a building".
2. State-owned or leased space buildings operator/management personnel shall not establish and/or identify specific outside areas for smoking. Ashtrays and other appropriate smoking litter appliances will be provided on the exterior premises of state-owned or leased buildings. Smoking shall not be permitted within 15 feet of doorways and ground level air intake structures.

*AB 291, Chapter 5.6 (commencing with Section 19994.30) of Part 2.6 of Division 5 of Title 2 of the Government Code.

3. All buildings covered by this Executive Order shall, at a minimum, have clearly displayed signage at all entrances/exits and other conspicuous locations (i.e., elevator landings, auditoriums, bathrooms, etc.) throughout the facilities to notify tenants and the public that smoking is prohibited within the building.

The signs should read, "NONSMOKING BUILDING" or, "SMOKING NOT PERMITTED IN THIS BUILDING" to convey a clear and unambiguous message. The universal symbol may also be used in conjunction with other written signage.

All signs shall be written in English. If the building operators/management staff discern a need for signs written in another language, they shall be produced in both English and a maximum of two (2) other languages.

On all building accesses, the signs shall be written in bold print and readable from a distance of 25 feet. Lettering and background colors shall be chosen to produce a legible sign that complements the building.

ADMINISTRATION

If compliance with the Executive Order requires a change in existing departmental policy, the department may incur an obligation to meet and confer.

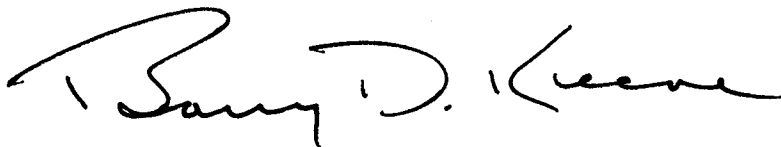
Consistent with the appropriate collective bargaining agreement, the departmental labor relations officer is responsible for notifying the appropriate exclusive labor organizations and, if the union desires to meet and confer on the impact of the policy change, to request delegation to meet and confer from the Department of Personnel Administration.

Individuals desiring further information on smoking cessation assistance should be provided the toll-free telephone number to the "California Smoker's Help Line". The telephone number is **1-800-766-2888**.

NON-COMPLIANCE

Cases of non-compliance should be dealt with at the lowest level possible. If the issue cannot be settled between the individuals involved, non-compliance should be reported to the appropriate tenant agency in writing or to the building manager who is responsible for compliance in public areas.

Please direct all questions concerning this management memo to Rosamond C. Bolden, Chief, Building and Property Management Branch, Real Estate Services Division, Department of General Services, at 916-327-6224, CALNET 467-6224; or Richard R. Bayquen, Chief Deputy Director, Department of Health Services, at 916-654-0514, CALNET 464-0514.



BARRY D. KEENE, Director
Department of General Services